

MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
UNITED STATES GEOLOGICAL SURVEY  
OF THE DEPARTMENT OF THE INTERIOR  
AND THE  
UNITED STATES COAST GUARD  
OF THE  
DEPARTMENT OF TRANSPORTATION  
CONCERNING REGULATION OF ACTIVITIES  
AND FACILITIES ON  
THE OUTER CONTINENTAL SHELF OF THE UNITED STATES

I. Purpose:

The purpose of this Memorandum of Understanding is to promote the safety of activities and facilities on the Outer Continental Shelf of the United States (OCS) associated with the exploration, development, and production of mineral resources, to avoid duplication of effort, and to promote consistent, coordinated and less burdensome regulation of these facilities.

II. Definitions:

For purposes of this Memorandum of Understanding, the following definitions apply:

Act - The Outer Continental Shelf Lands Act of 1953 (43 U.S.C. 1331 et seq.), as amended by the Outer Continental Shelf Lands Act Amendments of 1978 (Pub. L. 95-372).

Deepwater Port - A facility licensed by the Secretary of Transportation under the Deepwater Port Act of 1974.

Vessel - Every description of watercraft or other artificial contrivance used, or of being used, as a means of transportation on the water. This term does not include atmospheric or pressure vessels used for the containment of fluids or gases.

Outer Continental Shelf - The submerged lands which are subject to the Act.

OCS Activity - Any offshore activity associated with exploration for, development of, or production of mineral resources of the OCS.

OCS Facility - Any artificial island, platform, installation, or other device, permanently or temporarily attached to the seabed or subsoil of the OCS, and used for any OCS activity. This term does not include a deepwater port or vessel engaged in transportation, but does include a:

1. Fixed OCS Facility - Any fixed, bottom-founded facility permanently attached to the seabed or subsoil of the OCS, including platforms, guyed towers, articulated columns, gravity platforms and other structures;
2. Floating OCS Facility - Any buoyant facility securely and substantially moored to the seabed or subsoil of the OCS, including tension leg platforms, permanently moored semi-submersibles, ship/barge shape hulls, or other buoyant structures. This term does not include mobile offshore drilling units;
3. Mobile Offshore Drilling Unit (MODU) - Any vessel capable of engaging in drilling operations for the exploration or exploitation of mineral resources of the OCS. This term includes mobile offshore drilling units engaged in OCS activities that are U.S., foreign, or not documented under the laws of any nation;
4. OCS Terminal - Any fixed or floating facility which is used or intended for use primarily as a port or terminal for transferring produced oil, gas or other OCS mineral resources to or from a vessel;

5. Mobile Well Servicing Unit (MWSU) - Any vessel other than a MODU which engages in well servicing operations on the OCS.

### III. Agency Authorities on the OCS:

#### A. General:

1. The Department of the Interior is responsible for management of mineral leasing on the OCS of the United States, including coordinating Federal activities related to this program. Within the Department of the Interior, the U.S. Geological Survey regulates all mineral exploration, drilling, and production activities on leased or leasable land.
2. The United States Coast Guard of the Department of Transportation regulates to promote the safety of life and property on OCS facilities and vessels engaged in OCS activities, and the safety of navigation.

#### B. Statutory authorities of the Geological Survey on the OCS include:

1. Providing for the prevention of waste and the conservation of the natural resources of the OCS, and the protection of correlative rights.
2. Requiring suspension or temporary prohibition of any operation or activity on a lease if there is a threat of serious or irreparable harm or damage to life, to property, to mineral deposits or to the marine, coastal, or human environment.
3. Reviewing allegations of violations of safety regulations issued under the Act.
4. Reviewing and approving exploration plans development and production plans, and applications for permits to drill necessary for prompt and efficient exploration, development, and production of a lease area.
5. Reviewing and approving applications for remedial work on completed wells.
6. Approving rights of use and easement.
7. Inspecting drilling and production operations to ensure compliance with applicable lease terms and Geological Survey regulations and orders.
8. Ensuring compliance with the national ambient air quality standards pursuant to the Clean Air Act (42 USC 7401 et seq.), to the extent that activities authorized under the Act significantly affect the air quality of any State.
9. Exercising the Secretary of the Interior's responsibilities for the assessment, Compromise, and collection of civil penalties under section 24(b) of the Act.

#### C. Statutory authorities of the Coast Guard on the OCS include<sup>3</sup>

1. Promoting the safety of life and property on OCS facilities and adjacent waters.
2. Requiring hazardous working conditions related to activities on the OCS to be minimized.
3. Reviewing allegations of violations of occupational safety and health regulations under the Act.
4. Administering applicable vessel navigation, safety and inspection laws contained in Titles 46 and 33 of the United States Code.
5. Inspecting OCS facilities and vessels engaged in OCS activities to ensure compliance with applicable Coast Guard requirements.

#### D. Similar statutory authorities involving both agencies include:

1. Establishing minimum requirements or standards of design, construction, alteration, and repair for vessels, rigs, platforms, or other vehicles or structures engaged in OCS activities.

2. Performing scheduled and unannounced inspections of OCS facilities to assure compliance with regulations promulgated pursuant to the Act.
3. Enforcing regulations promulgated pursuant to the Act, Including authority to utilize by agreement the services of personnel or facilities of other Federal agencies.
4. Investigating and making public reports on deaths, serious injuries, fires, and oil spillage occurring as a result of OCS operations.
5. Requiring the use of the best available and safest technologies on OCS drilling and production operations as set forth in section 21(b) of the Act.

#### IV. Responsibilities:

To accomplish the purposes of this memorandum both agencies agree to observe the following guidelines with respect to overseeing OCS facility design and construction, systems and equipment, and operations.

##### A. Facility design and construction requirements, including plan approval:

1. The Geological Survey exercises technical review and approval responsibility for design, fabrication, and installation of all fixed OCS facilities. Additionally, after technical review and approval of the design and fabrication of all floating OCS facilities by the Coast Guard, the Geological Survey will have final approval responsibility for the installation of such facilities. The Geological Survey will coordinate technical and plan review as necessary with the Coast Guard to ensure that any applicable Coast Guard requirements affecting design or construction are complied with.

The Geological Survey verifies the following for all OCS facilities:

- a. Site-specific considerations, such as oceanographic, meteorological, geological and geophysical conditions including bottom conditions and the capability of the seabed to support or hold the position of the facility to be installed and operated.

The Geological Survey establishes requirements and verifies the following for fixed OCS facilities:

- b. Structural integrity involving design, fabrication, and installation;
- c. General arrangement of drilling, production, and well control systems and equipment;
- d. Modification and repair related to structural integrity.

2. The Coast Guard exercises technical review and approval responsibility for design and construction of all floating OCS facilities, and all vessels engaged in OCS activities, including MODUs and MWSUs. The Coast Guard will coordinate technical and plan review as necessary with the Geological Survey to ensure that any applicable Geological Survey requirements affecting design or construction are complied with.

The Coast Guard establishes requirements for the following on all OCS facilities:

- a. Structural fire protection, including specifying fire endurance capabilities of bulkheads, decks, and escape routes, testing and classification of materials, and requirements for ventilation systems;
- b. Access, landings and emergency escape routes.

The Coast Guard establishes requirements for the following on floating OCS facilities and vessels engaged in OCS activities:

- c. Design, loading, fabrication and construction requirements;

- d. Stability and buoyancy;
- e. Modification and repair requirements related to structural integrity;
- f. General arrangement.

B. Systems and Equipment:

Systems approved by one agency which are interconnected to system: approved by the other agency must be acceptable to both agencies.

- 1. The Geological Survey establishes requirements and verifies compliance with those requirements for systems and equipment for drilling, production, well control, and work over, on all OCS facilities.

Systems and equipment for which the Geological Survey establishes requirements, as necessary, on all OCS facilities include:

- a. Blowout preventer and other well control equipment;
- b. Surface production safety Systems;
- c. Emergency Shutdown System (ESD), including associated gas and fire detection systems;
- d. Subsurface well-control equipment, including safety valves;
- e. Atmospheric, pressure and fired vessels used for the processing of production;
- f. Wellhead and flow-line equipment, including valves and sensors for wellheads, flow lines, and pipelines;
- g. Dehydration equipment and gas compressor units used in production operations;
- h. Hydrogen sulfide control equipment, including the hydrogen sulfide gas detection system;
- i. Production and production-associated piping system:, including incoming and departing pipelines;
- j. Pumps used to transfer liquids within the production process systems and into pipelines;
- k. Fire Loop System which is used for detection and to initiate platform shutdown;'
- l. Subsea completion;;
- m. Wellhead fire-prevention;
- n. Gas detection systems for drilling. production or gas transmission systems or equipment;
- o. Oil and gas sale and metering equipment for production from OCS leases;
- p. Containment systems for overflow from equipment associated with drilling and production.

Other systems and equipment for which the Geological Survey is responsible on fixed facilities include:

- q. Electrical system design and equipment, including designation of classified locations;
- r. Pressure vessels and piping associated with drilling operations;
- s. Engine exhaust Insulation and spark arrestors.

- 2. The Coast Guard establishes systems and equipment requirements, as appropriate, for propulsion machinery, auxiliary machinery and personnel safety equipment on all OCS facilities. The Coast Guard also establishes requirements for equipment on all OCS facilities to mitigate occupational safety or health hazards, or ensure the seaworthiness of a MODU, MWSU, floating OCS facility, or vessel However, the Coast Guard will not establish requirements for drilling, production or work

over equipment that would duplicate or conflict with Geological Survey requirements. Nor will the Coast Guard establish requirements for safety factors, shutdown or relief valves for pressure vessels or piping in systems for which Geological Survey has design approval.

Systems and equipment for which the Coast Guard establishes requirements, as necessary, on all OCS facilities include:

- a. Lifesaving Systems and equipment;
- b. Fire detection, control and extinguishing systems and equipment not covered under IV. B. 1. (c) and (c) of this Memorandum;
- c. General alarms;
- d. Cranes, booms or other material handling equipment, including industrial trucks;
- e. Personnel protection equipment, excluding equipment for protection from hydrogen sulfide;
- f. Communications;
- g. Helicopter fueling facilities;
- h. Helicopter deck installations;
1. Navigation lights, obstruction lights, and sound signals;
- j. Boilers, pressure vessels, and piping not covered under IV B. L of this Memorandum;
- k. Underwater working chambers designed for human occupancy and their support Systems;
1. Hotel services including fresh water, flushing water, heating Systems, etc.;
- m. Permanent and portable quarters.

Other systems and equipment for which the Coast Guard establishes requirements, as necessary, on floating OCS facilities, MODUs, MWSUs, and vessels include:

- n. Electrical system design and equipment, including designation of classified areas;
- o. Mooring systems.

Other systems and equipment for which the Coast Guard establishes requirements, as necessary, on OCS terminals include:

- p. Oil transfer, gas inerting and vapor recovery Systems.

C. Operations:

1. The Geological Survey administers procedures, including training, drills, inspections and emergency procedures on all OCS facilities with respect to:
  - a. Drilling, work over, and production operations, including well control;
  - b. Pollution prevention, except for transfers to or from a vessel (as vessel is defined in section U. of this Memorandum);
  - c. Safe welding, burning and hot tapping procedures;
  - d. Control of hydrogen sulfide;
  - e. Pipeline operations associated with an OCS facility;
  - f. Well-head and platform removal.

Other procedures which the Geological Survey administers on OCS fixed facilities include:

- g. Underwater and above water structural inspection and repair.
2. The Coast Guard administers requirements, including those for training, drills, inspections and emergency procedures, on all OCS facilities for:
  - a. Firefighting;

- b. Emergency egress from a facility, including use of lifesaving and other general emergency equipment;
- c. Handling, transfer and stowage of explosives, radioactive, flammable (other than produced hydrocarbons), and other hazardous materials;
- d. Transfer of petroleum and other products from or to a vessel (as vessel is defined in section U. of this Memorandum);
- e. Transfer of materials and personnel on or off the facility by crane or other means;
- f. Vehicle and vessel operations;
- g. Helicopter operations on OCS' facilities;
- h. Occupational safety and health of personnel;
- i. Diving operations.

Other requirements which the Coast Guard administers on OCS floating facilities and vessels include:

- j. Underwater and above water structural inspection and repair;
- k. Stability considerations.

#### V. Inspections:

- A. Each agency will conduct scheduled and unannounced inspections, as necessary, to ensure compliance with its own requirements. Both agencies will coordinate Inspections to minimize disruption of operations. If, in the course of a routine inspection, deficiencies falling within the responsibility of the other agency are apparent, The deficiencies will be reported to the other agency for action. This is not intended, however, to prevent any inspector from either agency from taking such action as is considered necessary to prevent serious or irreparable harm to persons, property or the environment on the OCS. Such action, however, will be subsequently reported to the other agency.
- B. The Geological Survey administers procedures for requiring shut-down of drilling and production operations and may initiate such procedures upon request by the Coast Guard.
- C. The Coast Guard issues certificates indicating compliance with Coast Guard requirements for all floating OCS facilities and vessels engaged in OCS activities, including MODUs and MWSUs.

#### VI. Investigations:

##### A. Responsibility:

Investigation and public report by the Geological Survey or the Coast Guard are required for fires, oil pollution, deaths and injuries associated with OCS activities. In addition, the agencies investigate certain other incidents relating to other regulatory responsibilities, e.g. loss of well control, sinking, capsizing, or major damage to a vessel or facility. To avoid duplicative efforts and simplify administration, the primary agency regulating a particular facility, system, or operation will be responsible for leading the investigation and reporting on incidents involving that facility, System, or operation. Where only one agency has an investigative interest in an incident, that agency will investigate and report. Where both agencies have investigative interest in an incident, one agency will assume lead responsibility with supporting participation by the other agency. Assumption of lead agency responsibility, the extent of supporting participation, and procedures for coordination will be determined by the circumstances of the particular incident. Normally,

all investigations which involve both agencies will be coordinated by applying the following guidelines in numerical order to determine lead agency.

B. Guidelines:

1. Collisions - The Coast Guard will normally be the lead agency.
2. Fires and Explosions - The Geological Survey will normally be the lead agency for incidents of fires or explosion involving drilling or production operations. Coast Guard participation will be requested in all investigations of fires or explosions that involve death or injuries or vessels, equipment, or operations for which the Coast Guard is responsible under paragraphs IV. B.2. or C.2. of this Memorandum.
3. Deaths and Injuries - The Coast Guard will normally be the lead agency for all incidents involving death & injuries. Geological Survey participation will be requested in investigations of all deaths and injuries associated with oil or gas drilling or production operations or equipment, including hydrogen sulfide exposure.
4. Pollution - The Geological Survey will normally be the lead agency for incidents involving pollution from all OCS facilities. Coast Guard participation will be requested in all investigations of pollution.
5. Facilities, Material and Equipment.
  - a. The Coast Guard will normally be the lead agency for incidents involving damage to MODUs, MWSUs, or other vessels, or floating OCS facilities, and failure of or damage to propulsion, auxiliary, or emergency Systems and equipment covered under IV. B.2. of this Memorandum.
  - b. The Geological Survey will normally be the lead agency for all other incidents involving failure of or damage to fixed OCS facilities.

C. Conduct of Investigations:

1. The lead agency responsible for an investigation under these guidelines will conduct, review, approve and release the investigation report in accordance with the normal procedures of that agency. Comments by the supporting agency will be included in the investigation report.
2. If both agencies participate in an investigation, the lead agency will forward an information copy of the final report to the supporting agency.
3. Reports prepared by a single agency need not be routinely forwarded to the other agency, but will be available upon request.

VII. Oil Spill Contingency Plans:

Exploration Plans or Development and Production Plans are submitted to the Geological Survey for review and approval. The Coast Guard will provide a technical review of that portion of the Plan which addresses the adequacy of the oil spill contingency plan, including the adequacy of oil spill response, clean up equipment, and procedures. The criteria by which to judge the adequacy of a plan will be jointly agreed upon by the Geological Survey and the Coast Guard.

VIII. Exchange of Services and Personnel:

To the extent its own operations permit, each agency will provide the other agency with such assistance, technical advice and support, including transportation, as may be requested. Such exchange of services and use of personnel shall be on a non-reimbursable basis.

IX. Cooperation in Standards and Regulation Development:

- A. Both agencies will exchange data and study results, participate in research and development projects of mutual interest, and exchange early drafts of rulemaking notices.
- B. Both agencies will review current standards, regulations and orders and will propose revisions to them as necessary in keeping with the provisions of this Memorandum of Understanding.
- C. Both agencies will review reporting and data collection requirements imposed on operators of OCS facilities and, wherever feasible, will eliminate or minimize duplicate reporting and data collection.

X. Implementation:

- A. Each agency will review Its Internal procedure: and where appropriate, will revise them to accommodate the provisions of this Memorandum of Understanding. Each agency will also designate one senior official who will be responsible for continuing coordination and implementation of the provisions of this Memorandum of Understanding
- B. On the effective date of this agreement, the Coast Guard/Geological Survey Memorandum of Understanding for mobile offshore drilling units, dated April 11 1977, is canceled.

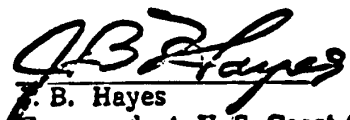
XI. Savings Provision:


Nothing in this Memorandum of Understanding shall be deemed to alter, amend, or affect in any way the statutory authority of the Geological Survey or the Coast Guard.

XII. Effective Date:

This Memorandum of Understanding is effective upon signature. It may be amended at any time by mutual written agreement of both agencies and may be terminated by either agency upon 30 days written notice.

Signed at Washington, DC this 18th day of December 1980.

  
J. B. Hayes  
Commandant, U. S. Coast Guard  
Department of Transportation

  
H. William Menard  
Director, U. S. Geological Survey  
Department of the Interior



## Technical List of Interest and Responsibility

<u>Item</u>	<u>Responsibility</u>		<u>Remarks</u>
	GS	CG	
<b>1. Structure Design and Construction</b>			
<u><b>FIXED FACILITIES</b></u>			
a. Platforms (jacket type)	X		
b. Guyed towers	X		
c. Articulated columns	X		
d. Gravity platforms	X		
<u><b>FLOATING FACILITIES</b></u>			
e. Tension leg		X	
f. Semi-submersibles		X	
g. Barges		X	
h. Vessels		X	
i. MODU		X	
j. MWSU		X	
k. OCS Terminal		X	
<b>2. Facility Installation</b>	X		
<b>3. Facility Inspection, Repair &amp; Modification</b>	X	X	Agency designated for design is responsible for repair.
<b>4. Arrangements</b>			
a. Drilling Eq	X(fixed)	X(floating)	
b. Production Eq	X(fixed)	X(floating)	
c. Workover Eq	X(fixed)	X(floating)	
d. Access and Landings		X	
e. Emergency escape		X	
f. Structural fire protection		X	
g. Accommodation spaces		X	

	GS	CG	Remarks
<b>5. Equipment</b>			
<b>a. Blowout preventors</b>	<b>X</b>		
<b>b. Well control eq</b>	<b>X</b>		
<b>c. Surface production safety</b>	<b>X</b>		
<b>d. Subsurface production safety</b>	<b>X</b>		
<b>e. Production pressure vessels</b>	<b>X</b>		
<b>f. Production piping</b>	<b>X</b>		
<b>g. Well and flowline valves and sensors</b>	<b>X</b>		
<b>h. Dehydration units</b>	<b>X</b>		
<b>i. Gas compressors</b>	<b>X</b>		
<b>j. H<sub>2</sub>s control eq</b>	<b>X</b>		
<b>k. H<sub>2</sub>s gas detection</b>	<b>X</b>		
<b>l. Production Emergency Support System (API RP 14c)</b>	<b>X</b>		
<b>m. Subsea completions</b>	<b>X</b>		
<b>n. Wellhead fire prevention</b>	<b>X</b>		
<b>o. Electrical System</b>	<b>X(fixed)</b>	<b>X(floating)</b>	
<b>p. Drilling system pressure vessels</b>	<b>X(fixed)</b>	<b>X(floating)</b>	
<b>q. Drilling system piping</b>	<b>X(fixed)</b>	<b>X(floating)</b>	
<b>r. Guards and rails</b>		<b>X</b>	
<b>s. Ventilation</b>		<b>X</b>	
<b>t. Medical equipment</b>		<b>X</b>	
<b>u. Emergency power</b>		<b>X</b>	
<b>v. Lifesaving equipment</b>		<b>X</b>	
<b>w. General alarms</b>		<b>X</b>	
<b>x. Cranes and material handling eq</b>		<b>X</b>	
<b>y. Industrial trucks</b>		<b>X</b>	
<b>z. Personnel protection eq</b>		<b>X</b>	
<b>aa. Communications</b>		<b>X</b>	
<b>bb. Helicopter fueling Eq</b>		<b>X</b>	

	GS	CG	Remarks
ec. Underwater working chambers		X	
dd. Fresh water sy		X	
ee. Fueling sy		X	
ff. Space heating		X	
gg. Propulsion eq		X	
hh. steering eq		X	
ii. permanent and portable quarters		X	
jj. Tensioning systems		X	
kk. Boilers, pressure vessels and piping not used for production		X	
ll. Boilers, pressure vessels and piping not used for drilling on a fixed facility		X	
6. Fire Protection			
a. Prevention	X	X	Both agencies have responsibility to prevent fires
b. Detection			
smoke		X	
gas	X	X	G.S. responsibility for production eq
heat	X	X	
fire	X	X	
c. Extinguishing			
portable		X	
semi-portable		X	
fixed		X	
1. water		X	
2. gaseous		X	
3. deluge		X	
firemans outfit		X	
axes		X	
applicators		X	
training		X	

	GS	CG	Remarks
<b>7. Pollution Prevention</b>			
a. Drilling or Production ops	X		
b. Effluents	X		
c. Oil terminal ops		X	
d. Fuel transfer		X	
e. Pollution Response Eq		X	
f. Vessels in navigation		X	
<b>8. Welding and Burning</b>			
a. During drilling and production operations	X		
b. Personnel Safety		X	
c. Welding repair procedures	X	X	Depends on responsibility for item repaired
<b>9. Operational Procedures</b>			
a. Drilling, Production and workover operation	X		
b. Control of H <sub>2</sub> S	X		
c. Pipeline Operations	X		
d. Wellhead and platform removal	X		
e. Emergency egress, abandonment		X	
f. Firefighting		X	
g. Handling, transfer and stowage of hazardous material		X	
h. Transfers to or from a vessel		X	
i. Aircraft, vehicle and vessel operations		X	
j. OCS oil terminals		X	
<b>10. Personnel Safety and Health</b>		X	

**HEADQUARTERS OFFICE ADDRESS:**

Chief, Conservation Division  
U.S. Geological Survey  
National Center  
Mail Drop 650  
12201 Sunrise Valley Drive  
Reston, Virginia 22092

**REGIONAL OFFICES ADDRESS:**

Conservation Manager  
U.S. Geological Survey

**EASTERN REGION**  
1825 K St., N.W.  
Suite 316  
Washington, D. C.  
20244

**GULF OF MEXICO — OCS OPERATIONS**  
434 Imperial Office Bldg.  
3301 N. Causeway Blvd.  
P.O. Box 7944  
Metairie, Louisiana 70011

**WESTERN REGION**  
345 Middlefield Road  
Menlo Park, California  
94025

**AREA OFFICES ADDRESS:**

Oil & Gas Supervisor  
U.S. Geological Survey

**EASTERN AREA**  
1825 K St., N.W.  
Suite 316  
Washington, D. C.  
20244

**GULF OF MEXICO AREA**  
434 Imperial Office Bldg.  
3301 N. Causeway Blvd.  
P.O. Box 7944  
Metairie, Louisiana  
70011

**ALASKA AREA**  
Skyline Bldg.  
Room 212  
218 E. St.  
P.O. Box 259  
Anchorage, Alaska  
99501

**PACIFIC AREA**  
7744 Federal Bldg.  
800 N. Los Angeles St.  
Los Angeles, California  
90012

**DISTRICT OFFICES ADDRESS:**

District Supervisor  
U.S. Geological Survey

**Texas District**  
P.O. Box 2006  
Freeport, Texas  
77541

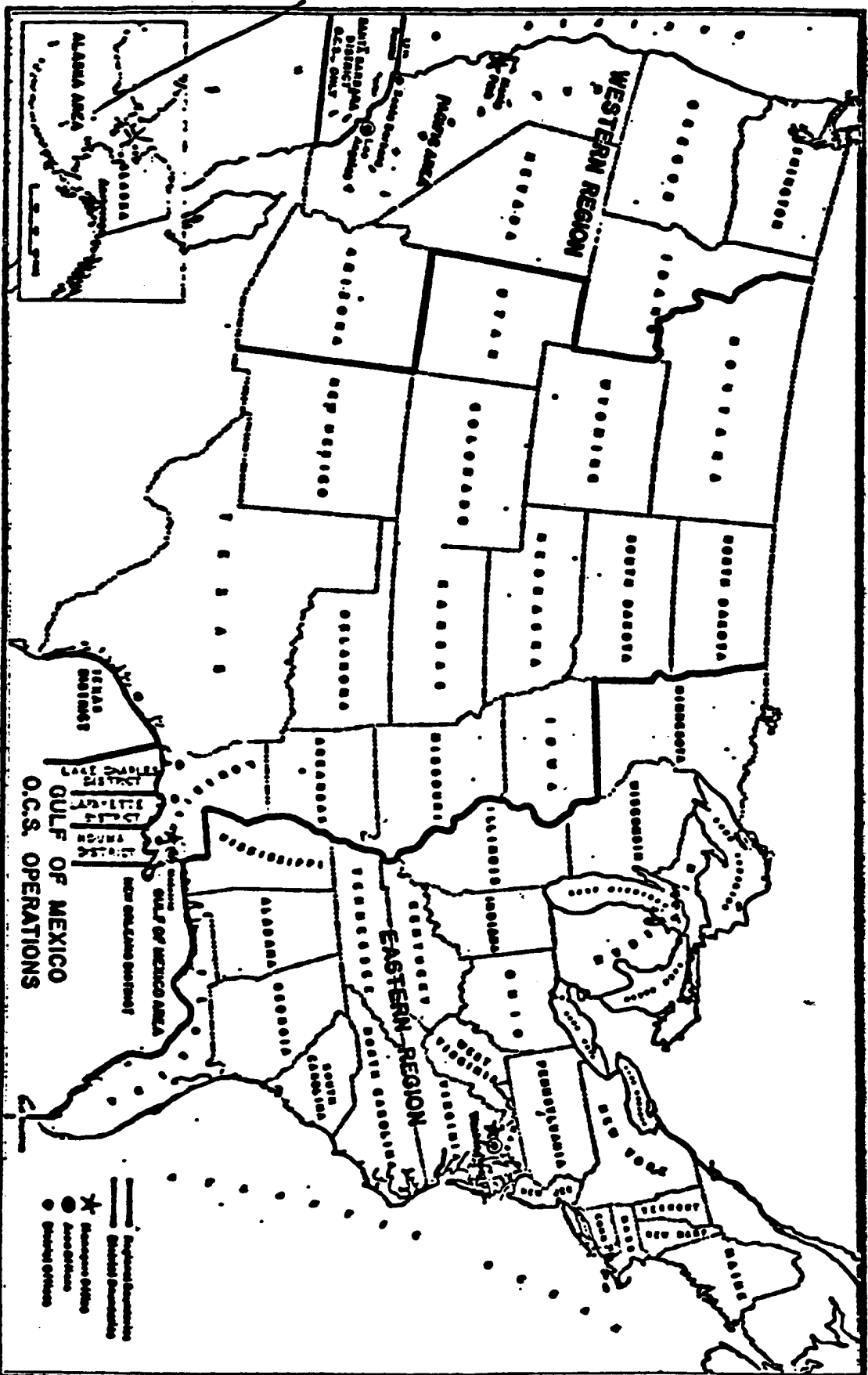
**Lake Charles District**  
P.O. Box 6088  
Drew Station  
Lake Charles, Louisiana  
70601

**Lafayette District**  
223 Bendel Road  
P.O. Box 52289  
Lafayette, Louisiana  
70501

**Houma District**  
P.O. Box 1269  
Houma, Louisiana 70360

**New Orleans District**  
137 Imperial Office Bldg.  
3301 N. Causeway Blvd.  
P.O. Box 7966  
Metairie, Louisiana 70011

**Santa Barbara District**  
214 Post Office Bldg.  
836 Anacapa St.  
Santa Barbara, California 93101



Memorandum of Understanding

Among

the National Institute for Occupational Safety and Health,

the Occupational Safety and Health Administration,

the United States Coast Guard

and the United States Environmental Protection Agency

Guidance for Worker Protection During

Hazardous Waste Site Investigations and Clean up

and

Hazardous Substance Emergencies

1. Purpose:

The purpose of this Memorandum of Understanding (MOU), is to provide guidance for the protection of workers who investigate and clean up hazardous waste sites and respond to hazardous substance emergencies.

2. Authority

The National Institute for Occupational Safety and Health (NIOSH) and the Occupational Safety and Health Administration (OSHA) are entering into this understanding pursuant to the Occupational Safety and Health Act of 1970, sections ZO a and 7 (c) (i) (Z9 USC 651, et. seq.) respectively, including Executive Order #12196; the United States Coast Guard (USCO) is entering into this understanding pursuant to the authority of the Clean Water Act (33 USC 1Z51 et. seq.) the United States Environmental Protection Agency (USEPA) is entering into this understanding pursuant to the authority of the Clean Water Act (33 USC 1Z51 et. seq.) and the Resource Conservation and Recovery Act Amendments of 1980 (4Z USC 7001). In addition, NIOSH, OSHA, USCO, and the USEPA are entering into this understanding in order to carry out their joint responsibilities under the “Comprehensive Environmental Response, Compensation, and liability Act of 1980U (P.!.. 96-510).

3. Interagency Coordination:

The following representatives will be responsible for the coordination and implementation of activities for their respective agencies:

- the Director of the Division of Criteria Documentation and Standards Development (NIOSH);

- the Director of the Directorate of Technical Support (OSHA);
- the Chief, Environmental Response Division (USCG Headquarters);
- the Director of the Office of Occupational Health and Safety (USEPA).

NIOSH is assigned the lead agency role.

4. Objectives:

The interagency objectives are: a) to develop and write a comprehensive guidance manual that will establish procedures to protect workers involved in hazardous waste site investigations and clean up and during response to emergencies involving hazardous substances; b) to identify and establish mechanisms for transmitting occupational health and safety information to workers and those responsible for their protection; c) to identify and establish mechanisms for transmitting relevant field experience concerning occupational health and safety practices to Federal agencies.

NIOSH will accomplish the objectives of this effort with the support, cooperation, and assistance of OSHA, USCO and USEPA under a procedure to be incorporated in the work plan.

5. Implementation:

This understanding establishes an Interagency Work Group consisting of at least one representative from each office identified in section 3. The Work Group will develop a work plan to implement the objectives listed above; individual tasks and any necessary resource requirements will be described in subagreements under this MOU. The final product(s) of designated tasks will be subject to the review of NIOSH, OSHA, USCG, and USEPA.

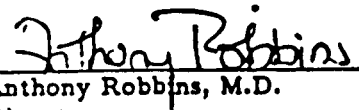
6 Period of Agreement:

This Memorandum shall continue in effect until the completion of the stated objectives, unless modified or amended by the assent of all parties or terminated by any party upon a 30-day advance written notice to the other parties.

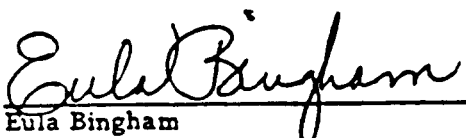


Nothing in this agreement is intended to diminish or otherwise affect the statutory authority of the agencies involved.

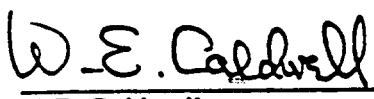
This Memorandum will become effective on the date of the last signature below.

  
\_\_\_\_\_  
Anthony Robbins, M.D.  
Director  
National Institute for Occupational  
Safety and Health

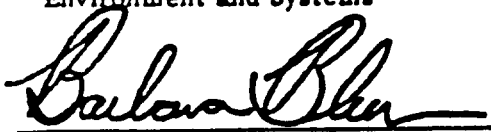
DEC 18 1980  
Date

  
\_\_\_\_\_  
Eula Bingham  
Assistant Secretary of Labor  
Occupational Safety and Health  
Administration

DEC 18 1980  
Date

  
\_\_\_\_\_  
W.E. Caldwell  
Rear Admiral, U.S. Coast Guard  
Chief, Office of Marine  
Environment and Systems

DEC 18 1980  
Date


  
\_\_\_\_\_  
Douglas M. Costle  
Administrator  
United States Environmental Protection Agency

DEC 18 1980  
Date

U.S. NAVY-U.S. COAST GUARD  
INSPECTION AGREEMENT FOR  
70' PASSENGER VESSELS

1. Inspection Agreement. The Commander, Naval Sea Systems Command desires that personnel boats that will be utilized in transporting visitors to and from the USS ARIZONA Memorial in Pearl Harbor be inspected by the Coast Guard while the vessels are under construction. When constructed, the vessels will be approximately 70 feet in length and designed to carry 150 passengers or less.
2. Certificate of Inspection. The Commander, Naval Sea Systems Command intends to operate the new vessels with unlicensed Navy personnel while transporting non-paying passengers to and from the ARIWNA Memorial. As such, the vessels will be "public vessels" not legally subject to inspection and certification. The National Park Service may, at some future date, begin charging a fee to tour the visitor's center and/or memorial. The vessels will be subject to inspection and certification as small passenger vessels at such time as "passengers for hire" are carried.
3. Applicable Vessel Regulations. The Rules and Regulations for Small Passenger Vessels (under 100 gross tons), Title 46, Code of Federal Regulations, Parts 175 to 187, will be considered the basic Coast Guard rules applicable to the 70' vessels during construction. Once built, the vessels will be exempt from inspection unless passengers for hire are carried as noted in paragraph 2. above. Prior to carrying passengers for hire, the vessels will be required to undergo an inspection for certification and drydock examination. Application shall be made to the cognizant Officer in Charge, Marine Inspection (OCMI) for all inspections. Upon satisfactory completion of the inspection, a Certificate of Inspection will be issued and the vessel shall be operated in accordance with the applicable Coast Guard regulations. Furthermore, all operators will be required to be licensed in accordance with Title 46, Code of Federal Regulations, Part 186 (46 CFR 186) when the vessels are certificated and carrying passengers for hire.
4. Plan Approval. Required plan approval for new construction, conversion and alteration shall be carried out in accordance with the applicable Coast Guard regulations.
5. Repairs and Alterations. To insure that no modifications or alterations are made to the vessels while in an "uninspected" status that would jeopardize future certification, the required notice of repairs or alterations shall be carried out in accordance with the applicable regulations regardless of the vessels status. Inspection of repairs and alterations to the vessels shall be at the discretion of the cognizant OCMI bearing in mind the possible future certification of the vessels.

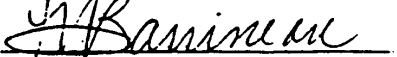
Approved for THE UNITED STATES COAST GUARD

Signature:   
HENRY H. BELLE

Title: Rear Admiral, U. S. Coast Guard  
Chief, Office of Merchant Marine Safety

Date: 29 SEP 1980

Approved for UNITED STATES NAVY

Signature: 

Title: Rear Admiral, USN (Sea-94)

Date: 9 October 1980

INTERAGENCY AGREEMENT (IAA) BETWEEN THE UNITED STATES NAVY AND THE  
UNITED STATES COAST GUARD FOR COOPERATION IN OIL SPILL CLEAN-UP  
OPERATIONS AND SALVAGE OPERATIONS

- I. PURPOSE: To specify for U.S. Coast Guard and U.S. Navy application:
- A. Conditions and procedures under which the U. S. Coast Guard can request and the U.S. Navy viii provide oil spill clean-up and/or salvage equipment and services to support the U.S. Coast Guard in non-Navy oil spills and other operations requiring salvage expertise.
  - B. Conditions and procedures under which the U.S. Navy can request and the U.S. Coast Guard will provide equipment and services to support the U.S. Navy in salvage operations and in response to oil spills which are caused by facilities or vessels under Navy jurisdiction.
  - C. Reimbursement procedures and policies.
- II. BACKGROUD: The National Oil and Hazardous Substances Pollution Contingency Plan, promulgated under the authority of the Federal Water Pollution Control Act, (PWPCA) (33 USC 1251, et. seq.) confers on the Coast Guard (or the Environmental Protection Agency in designated areas) responsibility for designating Federal On-Scene Coordinators (OSC) to coordinate Federal agency resources in cleaning up any oil or hazardous substance discharged in U.S. navigable waters, the contiguous zone or waters beyond the contiguous zone up to approximately 200 Riles. In addition to having the responsibility and expertise to respond promptly in cases of discharges from Navy operated or supervised ships and facilities, the Navy is also the governmental agency possessing expertise in ship salvage and salvage-related operations. The OSC, may access this expertise for the cleanup and control of any oil spill. The Coast Guard may also access the Navy's salvage expertise to assist during other operations conducted by the Coast Guard. Alternatively, the Navy may CccC85 the Coast Guard's expertise in oil spill control and other assets for salvage operations.
- III. RESOURCES: Under the terms of this Agreement, the following resources may be provided:
- A. When requested by the U.S. Coast Guard pursuant to Section V herein, the U.S. Navy will furnish to the U.S. Coast Guard the following resources consistent with availability and operational commitments as determined by the Navy:
    - (1) salvage equipment and specialized oil spill control and clean-up equipment.
    - (2) Salvage, diving and oil spill control consultation, evaluation, planning and operational services.
    - (3) Naval Craft, vessels and aircraft.
  - B. When requested by the U.S. Navy pursuant to Section VI herein the U.S. Coast Guard will furnish to the U.S. Navy the following resources consistent with availability and operational commitments as determined by the Coast Guard.

- (1) Oil spill consultation, evaluations, planning and operational services
- (2) Specialized oil spill control and clean-up equipment.
- (3) Coast Guard craft, vessels and aircraft.

IV. FEDERAL ORGANIZATION AND RESPONSIBILITIES: U.S. Navy response to U.S. Coast Guard Federal on Scene Coordinator (OSC) requests for services and equipment in non-Navy oil spills will be provided in accordance with the National Contingency Plan (Part 1510, Chapter V, Title 40 CFR) and the terms of this IAA.

The Coast Guard OSC will coordinate and direct Federal oil spill control and cleanup efforts in the event of an incident in his area of responsibility. In the event that commercial resources and/or expertise are not available to carry out the required cleanup, the OSC will arrange for the use of Federal and/or State resources. Unless prearrangements have been made, the OSC will seek the assistance of the Regional Response Team in accessing the needed advice and/or resources.

U.S. Navy salvage operations, conducted in support of other Coast Guard activities, will be coordinated by the Coast Guard On-Scene Commander or Coast Guard Officer-In-Charge of the operation<sup>1</sup> subject to the operational and technical control of the Navy Salvage Officer.

V. COAST GUARD REQUESTS FOR NAVY ASSISTANCE:

A. When local or regional interagency contingency plans contain adequate provision for identification, deployment of, and reimbursement for locally available Navy pollution control assets, OSC requests for such assets will be made through the Navy or DOD member of the RRT. The Navy (or DOD) member will have prearranged with the Navy Area Coordinator and the cognizant Navy supplier activity commander for authority to commit these resources to the OSC with the utmost expediency. It shall be the responsibility of the OSC to follow up such a request with a confirming message to the supplier activity and Navy Area Coordinator referencing the request and citing pertinent operational and funding information. Requests forwarded by OSCs shall include the following information:

- (1) Circumstances of the spill, e.g., location<sup>1</sup> quantity and
- (2) Extent of assistance required.

B. When adequate local activity assets are not available, or difficulties arise in arranging for their deployment and cannot be resolved on the RRT level, the matter shall be referred to the National Response Team (NRT) for resolution. Requests forwarded by RRTs shall include the information called for in V.A. above.

- (1) The Coast Guard MRR representative or National Response Center (DINIC) Duty Officer will relay all requests for assistance from the OSC/RRT to the Chief of Naval Operations Navy Department Duty Captain (OP-641/642) for action. (24 hour telephone: 202-695-0231). Such referrals will specify the above mentioned information relating to the conditions and circumstances of the oil spill.

- (2) All Coast Guard telephonic requests for assistance referred to in paragraph (1) will be followed promptly by a documenting message from the Coast Guard. This message will reference and detail the initial OSC request and must include accounting data identification for reimbursement to the Navy of the costs identified in Section VIZ! of this Agreement. The message shall be addressed to CHO, Washington, D.C.. Attn: OP-64/45/23/37, to CHNAVMAT, Washington, D.C. Attn: KLT-044i to CONNAVSEASYSK. Washington, D.C.. Attn: MAVSEA-OOC; to COMNAV7ACGCQM Alexandria, VA: to CINCLANTFLT, Norfolk, VA., or CINCPACFLT, Pearl Harbor, HI., (as appropriate), and to Commandant, U.S. Coast Guard and the NRC (as appropriate). The Navy will properly document increases in the protected cost of its assistance and will so inform the OSC by message referencing the Coast Guard's message.
- C. If NAVSEASYSCON assistance is anticipated, OSCs may prior to formal tasking, directly communicate with NAVSEASYSCOM at 202-697-7403 (normal workday), other times 202-692-7527 for technical matters.
- D. In oil spill related cases where it becomes necessary to assist the Coast Guard by mobilizing Navy forces other than Navy pollution control assets, the Coast Guard representative to the NRT or the Coast Guard NRC Duty Officer will relay requests received from the Coast Guard OSC via the R~ to the Navy Department Duty Captain (op-641/642) outlining the specific circumstances of the request. Each request for such assistance will contain the information set forth in paragraph V.A. of this Agreement.
- E. For purposes of this Agreement items are to be considered under the administrative control of the OSC from the time they are delivered for his use, whether such delivery is made at the scene of the incident or to a representative of the OSC at a location other than at the scene, through the time the item is redelivered to the Navy or its representative.
- F. All Coast Guard requests for salvage assistance in other Coast Guard operations will be relayed by the appropriate Coast Guard Headquarters authority to the Navy Department Duty Captain. The requests shall include information similar to that called for in V.A. of this Agreement.

## VI. NAVY REQUESTS FOR COAST GUARD ASSISTANCE

- A. Coast Guard resources will be provided, subject to their availability, to assist Naval Activities in responding to pollution discharges caused by facilities or vessels under Navy jurisdiction. Requests for such assistance shall be relayed by the Navy representative to the NRT or to the National Response Center. Reimbursement will be made in accordance with the guidelines established in Section VIII of this Agreement.
- B. Coast Guard resources will be provided, subject to their availability, to assist the Navy during salvage operations. Requests for such assistance shall be relayed by the cognizant Navy Commander to the Coast Guard Commander Atlantic Area (Acom) for resources located on the Atlantic and Gulf Coasts, and to Commander Pacific Area (Pam) for resources located on the Pacific Coast. Reimbursement will be made in accordance with the guidelines established in Section VIII of this Agreement.

- C. For purposes of this Agreement items are to be considered under the administrative control of the Navy from the time they are delivered to the location and/or representative specified by the Navy, through the time the item is redelivered to the Coast Guard or its representative.

VII. LOCAL ARRANGEMENTS FOR ASSISTANCE:

Coast Guard OSC's and local Naval commands, having oil spill cleanup capabilities, are encouraged to enter into agreements for the utilization of those capabilities to respond immediately to discharges of oil occurring within, or in threatening proximity of, the waters of a U.S. Naval base or facility regardless of whether the Navy is responsible for the discharge. Wherever such agreements are reached, the Coast Guard will reimburse the Navy for Navy costs incurred in undertaking such actions as per Section VIII of this Agreement, unless it is subsequently determined that the Navy was responsible for discharge.

VIII. REIMBURSEMENT PROCEDURES AND POLICIES:

- A. The Federal On-Scene Coordinator is responsible for insuring that proper cost documentation records are maintained.
- B. Navy and Coast Guard activities providing advice and assistance are responsible for providing OSCS with supporting documentation for cost accounting.
- C. Navy and Coast Guard activities providing assistance in support of the cleanup operation as requested by an OSC are entitled to reimbursement for the following items:
  - (1) Travel, per diem, and overtime costs for personnel.
  - (2) Rental costs, as approved by the parent agency, for nonexpendable equipment provided.
  - (3) Replacement costs for expendable materials provided and utilized
  - (4) Replacement or repair costs for nonexpendable equipment which is damaged while under the administrative control of the OSC.
  - (5) Transportation costs incurred in delivering items to and from the scene.
  - (6) Incremental operating and contract costs incurred as a result of providing assistance to OSCs.
- D. Normal salary costs of government employees in positions that are not normally intended to provide services in support of response operations are reimbursable. Salaries of reserve personnel called on active duty specifically to assist in a Federal response activity are reimbursable.
- E. The fiscal agent for the U.S. Coast Guard will be the Comptroller of the cognizant Coast Guard District.

- F. The fiscal agent for the U.S. Navy under Section V. A. of this Agreement will be the local activity Commanding Officer, and under V. B. will be the Commander, Naval Sea Systems Command (NAVSEA-O1), Washington. D.C. 20362.
- G. Subject to the Coast Guard's ultimate collection responsibility for services and operations provided by the Navy under this agreement, NAVSEA-01 or the local activity, depending on the applicability of V.A. or V.3., shall be responsible for making collections from the Coast Guard and shall make Appropriate disbursements of transfer of funds within the respective Navy organizations.
- H. Paragraphs A through G above apply only to the reimbursement of costs to the Navy in connection with FWPCA response actions. Paragraphs E and F apply to all reimbursements covered by this Agreement. Normal accounting procedures (interagency transfers) apply (1) to reimbursements not related to FWPCA response actions, and (2) to reimbursements to the Coast Guard for the use of their equipment and services in a FWPCA response action conducted by the Navy.
- IX. NOTIFICATION: The terms of this Agreement, amplified as necessary to provide detailed guidance and procedures for reimbursement, will be promulgated to components of the Coast Guard and the Navy.

Approved: J.P. Stewart  
J.P. STEWART  
Chief of Staff

8-13-80  
Date

Approved: W. J. Cowhill  
W. J. COWHILL  
Vice Admiral, U. S. Navy  
Deputy Chief of Naval  
Operations (Logistics)

9/15/80  
Date

# INTERAGENCY AGREEMENT BETWEEN THE UNITED STATES COAST GUARD AND THE FEDERAL BUREAU OF INVESTIGATION

## Article I - General Information

The United States Coast Guard (USCG) and the Federal Bureau of Investigation (FBI) share mutual interest and authority in the suppression of violations of federal law on the high seas, navigable waters and on areas adjacent to the navigable waters of the United States.

The prevention of criminal activity and the successful prosecution of federal law enforcement efforts requires the cooperation between enforcement agencies. The efforts include but are not limited to. the gathering and dissemination of intelligence. deterring potential violators, interdicting contraband and the apprehension of violators.

## Article II - Reference and Authority

Agreements between the USCG and FBI are entered into under the authority of 14 USC 141. The authorities to perform the responsibilities contemplated in this agreement are delineated in 14 USC 2, 14 USC 89. 14 USC 143, 14 USC 637 and 28 USC 531 et. seq.

## Article II - Purpose

The. parties have entered into the Agreement to:

1. promote the effective utilization of personnel and facilities through cooperative effort;
2. define the nature and extent of the services, systems, and facilities each agency will provide;
3. define command and control relationships while working from agency facilities; and
4. provide for the timely exchange of information to permit proper planning and evaluation.

## Article IV - Responsibilities of Agencies

### A. General.

1. The USOC and FBI will work in close cooperation in the national interest, supporting each other with respect to the suppression of the violation of federal laws and the apprehension of violators.
2. It is anticipated that the operational planning and execution of most enforcement and intelligence efforts will be accomplished at the USOC District level and FBI field offices.
3. Nothing in this agreement is intended to restrict the authority of the USOC or the FBI to enforce federal law on the high seas, navigable waters or on areas adjacent to the navigable waterways of the United States.



B. U.S. Coast Guard Within the limits of its budgetary and personnel capabilities, the USOC, to the extent practicable:

1. has primary responsibilities for high seas law enforcement as authorized by 14 USC 2;
2. will provide personnel and facilities, including aircraft and vessels, necessary for effective at-sea surveillance and law enforcement;
3. will generally affect all arrests and seizures whenever law enforcement actions are initiated by or undertaken from a Coast Guard unit, except when USOC is acting in a purely supporting role;
4. will make every practical effort to meet all FBI requests for cutter and aircraft assistance including rapid response to urgent operational requirements, with the understanding that other Coast Guard missions may take precedence;
5. will provide communication support for units involved in maritime operations, with the exception of special equipment that may be more properly provided by FBI;
6. will designate a contact point(s) at the Washington, D.C. level to coordinate all law enforcement efforts which require coordination at that level;
7. will coordinate with the Department of State for enforcement action to be taken against foreign vessels when such action is to be taken by or from a Coast Guard unit, or when proposed law enforcement actions may have an adverse impact upon the conduct of foreign relations;
8. will provide guidance and instruction to FBI personnel in regards to applicable USCG regulations and instructions concerning the conduct of maritime law enforcement operations.

C. Federal Bureau of Investigation Within the limits of its budgetary and personnel capabilities, the FBI, to the extent practicable;

1. has responsibility to investigate violation of laws of the United States and collect evidence in cases upon which the United States is or may be a party in interest;
2. operate the Federal Bureau of Investigation laboratory to provide technical and scientific assistance to federal law enforcement agencies;
3. will normally provide personnel to USCG units assigned to patrols for interdiction efforts related to matters of espionage, sabotage, subversive activities and areas in which the FBI has a designated case interest.. The FBI personnel so assigned shall be available to advise the unit commander and accompany the USCG boarding parties;

4. will provide enforcement information, as gathered, to USCG and other appropriate agencies, insuring the USCG is credited for law enforcement action taken within existing agencies guidelines;
5. will designate a contact point(s) at the Washington. D.C. level to coordinate all law enforcement efforts which require coordination at that level;
6. will, when operating from Coast Guard facilities, conform to existing Coast Guard operational guidelines and regulations.

#### Article V - Coordination and Planning

- A. FBI and USCC will, to the maximum extent practicable. coordinate at-sea enforcement activities.
- B. The USCC will plan effective employment of facilities and equipment for at-sea enforcement.
- C. The FBI will keep the USCC informed, on a continuing basis, as to both detailed and long range plans, related to the joint effort or which may affect the Coast Guard's personnel and facility requirements.
- D. The USCC will, in turn, keep FBI similarly informed as to additional requirements and the outlook for the availability of USCC facilities subject to use in the joint effort.

#### Article VI - Public Affairs

Each agency will keep the other advised of all public affairs matters, including news releases and major speeches, that concern the other agency. News releases of national interest will be coordinated between the appropriate public affairs' information personnel in Washington, D.C. and released simultaneously whenever possible. Releases of local or regional interest will be coordinated and released jointly at the USCC Area or District level and the FBI Regional or District level, with copies sent to each agency headquarters Public Affairs Information office. Each agency will exercise its own discretion in responding to inquiries with factual information concerning its own actions.

#### Article VII - Subsidiary Agreements


Consistent with the purpose and provisions of this Agreement, a local working agreement or memorandum of understanding (CMOU) may be developed by and between USCO Area or District Commanders, and FBI Regional or District Directors. No provision of any local agreement or MOU will contravene the spirit or letter of this Agreement. Copies of such working agreements or MOUs will be forwarded to the Commandant, USCG and the Director of FBI for approval. These agreements will not become effective until approved in writing by Commandant, USCG and Director of FBI.

#### Article VIII - Amendments


This Agreement and any local Agreement pursuant to Article VII may be amended from time to time as may be mutually agreeable to the parties thereto.

#### Article IX - Termination

This agreement may be terminated by either party upon 30 days advance written notice thereof to the other party.

  
\_\_\_\_\_  
Robert H. Scarborough  
Vice Admiral, U.S. Coast Guard  
Acting Commandant

Date AUG 18 1980

  
\_\_\_\_\_  
William H. Webster  
Director  
Federal Bureau of Investigation

Date 8-20-80

REVISED VESSEL INSPECTION AGREEMENT  
NATIONAL MARINE FISHERIES SERVICE/U.S. COAST GUARD  
MAY 1980

1. Request for Inspection. The NMFS, upon selecting a U.S. commercial fishing vessel for award of a charter, will notify the Commandant (G-NVI), U.S. Coast Guard, Washington, D.C., and provide the following information:
  - a) Name of vessel
  - b) Official number
  - c) Geographical area of operation
  - d) Mission
  - e) Charter period
  - f) Vessel owner, address, and phone number
  - g) Vessel's location for inspection
  - h) NMFS field contact
  - i) NMFS contract officer

Upon receipt of this information the Coast Guard will notify the appropriate Officer in Charge, Marine Inspection in order that an inspection of the vessel may be made. Inspections of the vessels under this agreement will not be made by the cognizant Officer in Charge, Marine Inspection until notification is received from the Commandant as noted above.

2. Location for Inspection. The NMFS will make every effort to arrange vessel inspections at locations where Coast Guard marine inspectors are assigned. When this is not possible, the NMFS will provide a wide range of suggested dates for inspection. Should an inspection be necessary on short notice (seven days or less) or should an inspection be necessary in a location that is not routinely visited by Coast Guard marine inspectors in the course of their other duties, the NMFS will provide transportation for Coast Guard personnel to and from the inspection location.
3. Applicable Regulations. The vessel(s) to be chartered by the NMFS will be inspected for compliance with Title 46 Code of Federal Regulations (CFR), Parts 24, 25, and 26 (subchapter C - Uninspected Vessels) with the exception of those portions relating to the carriage of passengers for hire (not applicable) and the requirements for lifesaving equipment (Subpart 25.25) and fire extinguishing equipment (Subpart 25.30). In lieu of complying with the lifesaving and fire extinguishing equipment requirements normally applicable to uninspected vessels, these vessels will comply with 46 CFR, Parts 180 and 181 (Subchapter T - Small Passenger Vessels - Under 100 Gross Tons) as may be applicable depending on the vessel's length and the intended operating route of the vessel while under charter.
4. Letter of Inspection. Vessels which have been inspected and found in compliance with the requirements set forth in paragraph 3 shall be issued a Letter of Inspection by the cognizant Officer in Charge, Marine Inspection. The original Letter of Inspection shall be posted aboard the vessel and a copy will be maintained in the issuing office's file.
5. Seaworthiness Standards. The NMFS will make careful selection of the vessels they intend to charter to insure that they are basically seaworthy. The Coast Guard inspection is not considered an inspection for seaworthiness; however, a cursory examination of the vessel structure will be made. If any manifestly unsafe structural conditions are observed, this fact will be reported to the

Commandant and a Letter of Inspection will not be issued. In the event the Letter of Inspection is not issued due to the existence of such unsafe structural conditions, it is understood that the NMFS will cancel the pending charter and locate another vessel.

6. Limitations of Agreement. This agreement only applies to the vessels of less than 300 gross tons<sup>1</sup> engaged in oceanographic research as defined in 46 USC 441.
7. Modifications to Agreement. Modifications or supplements to this basic agreement may be made by mutual consent. Such modifications or supplements will be in the form of addendums to this basic agreement.

Approved for National Marine  
Fisheries Service

Signature: /s/ Robert K. Crowell

Title: Deputy Executive Director

Date: 7-29-80

Approved for the United States  
Coast Guard

Signature: /s/ Henry H. Bell

Title: Chief, Office of Merchant  
Marine Safety

Date: 14 MAY 1980